

400 Garden City Plaza - Suite 300
Garden City, New York 11530
(516) 742-4343 - Telephone
(516) 742-4366 - Facsimile
e-mail: INTPROP@SSMP.COM

**SCULLY, SCOTT, MURPHY
& PRESSER**

RECEIVED
CENTRAL FAX CENTER

MAR 25 2005

Fax

To:	Examiner Mei Qi Huang	From:	Marvin Bressler
Fax:	703-872-9306	Pages:	9 pages including cover sheet
Phone:		Date:	3/25/2005
Re:	U.S. Serial No: 10/767,364 Group Art Unit: 1713 Confirmation No: 4886 Docket No: 17413	CC:	


☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• Attached hereto:

1. Certificate of Transmission by Facsimile
2. Combined Amendment & Petition For Extension of TimeTransmittal (in duplicate)
3. Species Election Under 37 C.F.R. §1.146
4. Authorization to charge deposit account

CONFIDENTIALITY: The documents accompanying this facsimile transmission may contain information which is either confidential or legally privileged and is intended only for the authorized use of the individual or entity named above without right or publication or republication, dissemination or disclosure except as expressly set forth or established by course of dealing. All rights are reserved. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this facsimile is prohibited. If you received this transmission in error, please notify us immediately by telephone to arrange for return of the documents.

If you have any problems concerning this facsimile, please call (516) 742-4343 and ask for Grace Colucci at ext. 590 or via e-mail at gcolucci@ssmp.com.

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. 17413
Applicant(s): Mao-Jung Yeh et al.			
Application No. 10/767,364	Filing Date January 29, 2004	Examiner Mei Qi Huang	Group Art Unit 1713
Invention: RESIN COMPOSITIONS AND USES THEREOF			
Confirmation No.: 4886			
<p>I hereby certify that this <u>Combined Amendment & Petition For Extension of Time</u> <small>(Identify type of correspondence)</small></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9306</u>)</p> <p>on <u>March 25, 2005</u> <small>(Date)</small></p> <p style="text-align: right;"><u>Marvin Bressler</u> <small>(Typed or Printed Name of Person Signing Certificate)</small></p> <p style="text-align: right;"> <small>(Signature)</small></p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

MAR 25 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Mao-Jung Yeh et al.

Examiner: Mei Qi Huang

Serial No.: 10/767,364

Art Unit: 1713

Filed: January 29, 2004

Docket: 17413

For: RESIN COMPOSITIONS AND USES
THEREOF

Dated: March 25, 2005

Confirmation No.: 4886

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22314-1450**SPECIES ELECTION UNDER 37 C.F.R. §1.146**

Sir:


In response to the Official Communication dated January 25, 2005, applicants elect the following species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable: acrylic acid as the acrylate monomer, and epoxy propyl saturated tertiary decanoate as the tertiary carboxylic ester, in both polymer (i) and (ii). In polymer (i) applicants elect a fluoroalkyl methacrylate as the fluoroacrylate monomer. In polymer (ii) applicants elect the compound set forth in Claim 12 where R⁷ and R⁸ are hydrogen and n is 10 to 250.

Applicants submit that Claims 1 and 6-15, all the claims subject to the instant species election, read on the elected species.

The instant species election is made with traverse.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Dated: March 25, 2005
Marvin Bressler

species which can easily be examined in a reasonable period of time. To potentially limit applicants invention to less than all the species within the contemplation of the claims of the present application would be to create an undue burden and expense upon applicants in requiring them to file divisional applications and delaying patenting of their complete invention. Reconsideration and removal of this species election is therefore deemed appropriate. Such action is respectfully urged.

The above remarks, when taken with the applicants earlier response filed November 18, 2004, emphasize that all the claims currently in this application should be examined in this application. Prompt examination of all the claims currently in this application, followed by Notice of Allowance and passage to issue of these claims, Claims 1-24, is respectfully solicited.

Respectfully submitted,



Marvin Bressler
Registration No. 25,132
Attorney for Applicants

Scully, Scott, Murphy & Presser
400 Garden City Plaza, Suite 300
Garden City, New York 11530
516-742-4343
MB:gc

REMARKS

The present application has been made subject to a Restriction Requirement wherein Claims 1 to 22 were elected with traverse, for examination on the merits in this application, in a response filed November 18, 2004. However, due to an oversight, a species election, imposed concurrently with the restriction requirement, was not addressed in that response. The instant species election corrects that oversight.

Pursuant to the Official Communication issued January 25, 2005, the species election imposed was set forth in clearer detail. The claims subject to species election are Claims 1 and 6-15. The species election requirement requires an election of an acrylate monomer, a tertiary carboxylic ester and a fluoroacrylate monomer, for polymer (i) and, less clearly, since the conjunction "or" is employed, an acrylate monomer, a tertiary carboxylic ester and a silicone monomer for polymer (ii).

Applicants have elected acrylic acid as the acrylate monomer, epoxy propyl saturated tertiary decanoate as the tertiary carboxylic ester, and a fluoroalkyl methacrylate as the fluoroacrylate monomer for polymer (i). For polymer (ii), applicants have elected acrylic acid as the acrylate monomer, epoxy propyl saturated tertiary decanoate as the tertiary carboxylic ester, and as the silicone monomer, a compound having the general formula set forth in Claim 12, where R^7 and R^8 are hydrogen and n is 10 to 250.

Applicants submit that the elected species read on all the claims subject to this species, Claims 1 and 6-15.

Applicants respectfully traverse this species election.

A species election is appropriate only when the number of compounds required to be examined are so numerous as to create a burden in the examination of the claims. Such is not the case in the present application. The present application is limited to a relatively small number of